## IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

U.S. COMMODITY FUTURES TRADING COMMISSION, et al.

Plaintiffs,

v.

TMTE, INC. a/k/a METALS.COM, CHASE METALS, INC., CHASE METALS, LLC, BARRICK CAPITAL, INC., LUCAS THOMAS ERB a/k/a LUCAS ASHER a/k/a LUKE ASHER, and SIMON BATASHVILI,

Defendants,

TOWER EQUITY, LLC,

Relief Defendant.

CIVIL ACTION NO. 3:20-CV-2910-L

## **ORDER**

Before the court is Defendant Simon Batashvilis' Unopposed Motion for Continuance of Show Cause Hearing (Doc. 402), filed May 23, 2022. Counsel for Mr. Batashvili requests a fourteen-day continuance of the May 26, 2022 show cause hearing "to allow the parties to resolve the remaining issue that is the subject of the Receiver's Motion." Mot. 2. In support, he informs the court that Mr. Batashvili has "worked diligently to resolve" the remaining issues that gave rise to the Show Cause Hearing, including transferring "the remaining \$35,500 of the at-issue funds to the Receiver." *Id.* Counsel also states that he "informed the Receiver that a follow[-]up letter providing details about the Rolex Daytona watch would be forthcoming. Upon receipt of the follow

up letter, which [he] intends to forward shortly, all remaining issues relevant to the Show Cause

Hearing will be resolved." *Id*.

is still needed.

Having considered the unopposed motion and the grounds for a continuance set forth therein, the court finds that the motion should be, and is hereby, **granted**. Rather than reset the hearing in fourteen days, however, as only one issue that gave rise to the show cause hearing remains, the court hereby **postpones** the May 26, 2022 show cause hearing set for 3:00 p.m. and **directs** the Receiver to notify the court on or before **Friday**, **June 10, 2022**, if a show cause hearing

It is so ordered this 25th day of May, 2022.

Sam Q. Sindsay

United States District Judge